

### **REMARKS**

This is in response to the Office Action mailed on July 26, 2004, and the references cited therewith.

Claims 4-10, 12, and 15 are amended, claim 11 is canceled, and claim 18 is added; as a result, claims 1-10 and 12-18 are now pending in this application.

#### **§112 Rejection of the Claims**

Claims 5-12 were rejected under 35 USC § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Applicant has amended the claims to overcome the 35 USC § 112, second paragraph rejection. Reconsideration and allowance is respectfully requested.

#### **§102 Rejection of the Claims**

Claims 1-4, 10, and 12-17 were rejected under 35 USC § 102(b) as being anticipated by Russo (U.S. 5,247,768).

#### **Claims 1-4**

Applicant respectfully submits that the Office Action did not make out a *prima facie* case of anticipation since the cited reference does not teach each and every claim element.

Anticipation requires the disclosure in a single prior art reference of each element of the claim under consideration. *In re Dillon* 919 F.2d 688, 16 USPQ2d 1897, 1908 (Fed. Cir. 1990). For instance, Applicant cannot find in Russo an apparatus wherein the uninflated roof is supported at the inner portion by an inflated column. The Office Action asserts that “the roof (34) is supported at the inner portion by an inflated column (30).” However, supports 30 in Russo are not inflated columns. In contrast, Russo discusses that supports 30 are rigid, non-inflated, elongate members which provide structural support to support inflatable frame 14, 16. (See col. 4, lines 9-27).

Claims 2-4 include each limitation of their parent claim and are therefore also not anticipated by the cited reference. Reconsideration and allowance is respectfully requested.

Claims 10 and 12

Claim 10 has been amended to include the subject matter of allowable claim 11. Claim 12 depends from claim 10. Reconsideration and allowance is respectfully requested.

Claims 13-14

Applicant respectfully submits that the Office Action did not make out a *prima facie* case of anticipation since the cited reference does not teach each and every claim element. For instance, Applicant cannot find in Russo: supporting an uninflated roof having an inner portion and a periphery, wherein the roof is supported at the inner portion by an inflated column, as recited in claim 13. As noted above, supports 30 in Russo are not inflated columns. In contrast, Russo discusses that supports 30 are rigid, non-inflated, elongate members which provide structural support to support inflatable frame 14, 16.

Claim 14 includes each limitation of its parent claim and is therefore also not anticipated by the cited reference. Reconsideration and allowance is respectfully requested.

Claims 15-17

Applicant has amended claim 15 to better describe the subject matter of the claim. Applicant believes claim 15 is not anticipated by the cited reference since the reference does not include each limitation recited in the claim. For instance, Applicant cannot find in the cited reference: providing an inflatable bouncer having a bottom section, an inner column attached to the bottom section and extending vertically upwards, as recited in claim 15. In contrast, the Russo reference discusses a horizontal support 30.

Claims 16-17 includes each limitation of their parent claim and are therefore also not anticipated by the cited reference. Reconsideration and allowance is respectfully requested.

Allowable Subject Matter

Claim 11 was objected to as being dependent upon a rejected base claim, but was indicated to be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claim 10 has been rewritten to include the subject matter of original claim 11. Applicant believes claims 10 and 12 are in allowable form.

Claims 5-9 were indicated to be allowable if rewritten to overcome the rejection(s) under 35 USC § 112 set forth in the Office Action. The claims have been amended as suggested.

Conclusion

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (612) 359-3267 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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By their Representatives,

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Date 11/23/04

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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: MS Amendment, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 23 day of November, 2004.

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